

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

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|--|---|----------------------------|
| FREEDOM FROM RELIGION FOUNDATION, INC., et al. |) | |
| |) | |
| |) | |
| Plaintiffs |) | |
| |) | |
| v. |) | Civil Action No. 17-cv-330 |
| |) | |
| DONALD J. TRUMP, President, et al. |) | |
| |) | |
| Defendants |) | |

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO AMENDED
COMPLAINT**

Defendants President Donald J. Trump and John Koskinen, Commissioner, Internal Revenue Service, based on Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure, seek an additional extension of time to November 9, 2017, (7 additional days) to respond to the amended complaint filed by plaintiffs Freedom from Religion Foundation, Inc., Dan Barker, and Annie Laurie Gaylor, Am. Compl. for Declaratory and Injunctive Relief, ECF No. 26. The Government needs additional time to respond to the amended complaint because of the need for additional coordination and review within the Government.

Plaintiffs Freedom from Religion Foundation, Inc., Dan Barker, and Annie Laurie Gaylor filed this action on May 4, 2017, challenging the President's Executive Order on religious liberty, Exec. Order No. 13,798, Promoting Free Speech and Religious Liberty, 82 Fed. Reg. 21,675 (May 4, 2017), based on the Free Speech Clause and the Establishment Clause of the First Amendment, as well as other constitutional provisions, and seeking declaratory and injunctive relief. The Government filed a motion to dismiss on August 22, 2017. On September 19, 2017, the plaintiffs filed an amended complaint. On September 20, 2017, the Court entered a minute

order denying the Government's motion to dismiss as moot and advising that the Government may file a renewed motion to dismiss directed at the amended complaint. *See* ECF No. 27.

The Government's response to the amended complaint was originally due October 4, 2017. The Court granted the Government's request for an extension of time to November 2, 2017. *See* ECF No. 30.

The Government now seeks an additional extension of time to November 9, 2017, to respond to the amended complaint to allow time for additional coordination and review within the Government.

The Government conferred with the plaintiffs to determine their position on the Government's request for an extension. The plaintiffs indicated they do not oppose the Government's request.

Date: November 1, 2017

Respectfully submitted,

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